



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

McMANIMON, SCOTLAND & BAUMANN, LLC

427 Riverview Plaza

Trenton, NJ 08611

(609) 695-6070

(609) 695-6071

Andrea Dobin (adobin@msbnj.com)

Michele M. Dudas (mdudas@msbnj.com)

Counsel to Andrea Dobin, Chapter 7 Trustee

Order Filed on June 23, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In re:

ALEXANDER J. FIGLIOLIA,

Debtor.

Case No. 17-20755 (KCF)

Honorable Kathryn C. Ferguson, U.S.B.J.

Chapter 7

**ORDER COMPELLING ALEX FIGLIOLIA WATER & SEWER, LLC, TO
COMPLY WITH TRUSTEE'S RULE 2004 SUBPOENA, AND GRANTING
RELATED RELIEF**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby

ORDERED.

DATED: June 23, 2020

A handwritten signature in black ink, appearing to read "Kathryn C. Ferguson".

Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

(Page 2)

Debtor: Alexander J. Figliolia

Case No.: 17-20755 (KCF)

Caption of Order: Order Compelling Alex Figliolia Water & Sewer, LLC to Comply with
Trustee's Rule 2004 Subpoena, and Granting Related Relief

THIS MATTER, having been presented to the Court by Andrea Dobin, the Chapter 7 Trustee (the "Trustee") in the bankruptcy proceeding of Alexander J. Figliolia, Chapter 7 debtor (the "Debtor"), by and through her counsel, upon the filing of a Motion to compel Alex Figliolia Water & Sewer, LLC ("Business") to comply with the Trustee's Rule 2004 Subpoena, and granting related relief (the "Motion"); and due and proper notice of the Motion having been given; and the Court having considered the papers in support of the Motion and opposition thereto, if any; and oral argument, if any; and good and sufficient cause existing for the granting of the relief as set forth herein,

IT IS ORDERED that the Business is compelled to produce the following information to the Trustee on or before July 14, 2020:

1. Copies of front and back of all checks or other evidence of payment for funds tendered by the Business from the Debtor during the period May 25, 2013 through November 8, 2019 (referred to hereafter as the "Relevant Period").
2. Copies of front and back of all checks or other evidence of payment for funds tendered by the Business during the Relevant Period to third parties (regardless of whether they are companies, entities or individuals), at the Debtor's request which were recorded in the Business's records as income or distribution to the Debtor.
3. All documentation provided by the Debtor or third parties in support of request(s) for the payments identified in response to items 1 and 2 hereof.
4. Form 1099 and/or W-2 issued to the Debtor for calendar years 2013, 2014, 2015, 2016, 2017, 2018 and 2019 and schedules or ledgers supporting the contents of these documents.
5. Any schedules, records or lists maintained by the Business reflecting and/or evidencing the payments made by the Business for the benefit of the Debtor and/or at his request during the Relevant Period.

and it is further

ORDERED, that, unless the Trustee advises in writing that the deposition is not necessary within three (3) business days from the date Ordered by this Court, the appropriate

(Page 3)

Debtor: Alexander J. Figliolia

Case No.: 17-20755 (KCF)

Caption of Order: Order Compelling Alex Figliolia Water & Sewer, LLC to Comply with
Trustee's Rule 2004 Subpoena, and Granting Related Relief

representative of the Business must appear in the offices of McManimon Scotland & Baumann,
LLC at 427 Riverview Plaza, Trenton, New Jersey on July 14, 2020, at 11:00 a.m., for the
purposes of being deposed. The Trustee reserves the right to conduct the deposition virtually.

In re:
Alexander J Figliolia
DebtorCase No. 17-20755-KCF
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903Page 1 of 2
Total Noticed: 1

Date Rcvd: Jun 23, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 25, 2020.

db +Alexander J Figliolia, 105 Middletown Road, Holmdel, NJ 07733-2205

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jun 25, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 23, 2020 at the address(es) listed below:

Andrea Dobin on behalf of Trustee Andrea Dobin adobin@msbnj.com
 Andrea Dobin ecftrusteead@msbnj.com, NJ55@ecfcbis.com
 Brandon David Sherr on behalf of Creditor Segundo Marcial Saeteros-Campoverde bsherr@zellerlegal.com, mgutierrez@zellerlegal.com, jazeller@zellerlegal.com
 Bunce Atkinson on behalf of Debtor Alexander J Figliolia bunceatkinson@aol.com
 Bunce Atkinson on behalf of Accountant Barbara Rizzi bunceatkinson@aol.com
 Bunce Atkinson on behalf of Attorney Atkinson & DeBartolo, PC bunceatkinson@aol.com, NJ09@ecfcbis.com, maraujo@atkinsondebartolo.org, atkinson@remote7solutions.com
 Douglas J. McDonough on behalf of Creditor THE BANK OF NEW YORK MELLON, FKA THE BANK OF NEW YORKSUCCESSOR INDENTURED TRUSTEE TO JPMORGAN CHASE BANK, N.A., AS INDENTURED TRUSTEE FOR THE CWHEQ REVOLVING HOME EQUITY LOAN TRUST, SERIES 2005-K DMcDonough@flwlaw.com
 Lauren Bielskie on behalf of U.S. Trustee U.S. Trustee lauren.bielskie@usdoj.gov
 Lauren Bielskie on behalf of U.S. Trustee United States Trustee lauren.bielskie@usdoj.gov
 Melissa N. Licker on behalf of Creditor THE BANK OF NEW YORK MELLON f/k/a THE BANK OF NEW YORK as Trustee for CHL Mortgage Pass-Through Trust 2003-48 Mortgage Pass-Through Certificates, Series 2003-48 by Nationstar Mortgage LLC, the servicer NJ_ECF_Notices@mccalla.com, mccallaecf@ecf.courtdrive.com
 Michele M. Dudas on behalf of Plaintiff Andrea Dobin mdudas@msbnj.com
 Michele M. Dudas on behalf of Trustee Andrea Dobin mdudas@msbnj.com
 Rebecca Ann Solarz on behalf of Creditor THE BANK OF NEW YORK MELLON, FKA THE BANK OF NEW YORKSUCCESSOR INDENTURED TRUSTEE TO JPMORGAN CHASE BANK, N.A., AS INDENTURED TRUSTEE FOR THE CWHEQ REVOLVING HOME EQUITY LOAN TRUST, SERIES 2005-K rsolarz@kmllawgroup.com
 Robert Davidow on behalf of Creditor THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK AS TRUSTEE FOR CHL MORTGAGE PASS-THROUGH TRUST 2003-48 MORTGAGE ET.AL. nj.bkecf@fedphe.com
 Scott C. Pyfer on behalf of Plaintiff Filomena Napolitano scott@pyferlawgroup.com, scottpyfer@gmail.com;pyfersr87748@notify.bestcase.com
 Scott C. Pyfer on behalf of Creditor Biagio Napolitano scott@pyferlawgroup.com, scottpyfer@gmail.com;pyfersr87748@notify.bestcase.com
 Scott C. Pyfer on behalf of Creditor Filomena Napolitano scott@pyferlawgroup.com, scottpyfer@gmail.com;pyfersr87748@notify.bestcase.com
 Scott C. Pyfer on behalf of Creditor Robert Napolitano scott@pyferlawgroup.com, scottpyfer@gmail.com;pyfersr87748@notify.bestcase.com
 Scott C. Pyfer on behalf of Plaintiff Biagio Napolitano scott@pyferlawgroup.com, scottpyfer@gmail.com;pyfersr87748@notify.bestcase.com
 Sean M. O'Brien on behalf of Creditor THE BANK OF NEW YORK MELLON, FKA THE BANK OF NEW YORKSUCCESSOR INDENTURED TRUSTEE TO JPMORGAN CHASE BANK, N.A., AS INDENTURED TRUSTEE FOR THE CWHEQ REVOLVING HOME EQUITY LOAN TRUST, SERIES 2005-K DMcDonough@flwlaw.com
 Sherri Jennifer Smith on behalf of Creditor THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK AS TRUSTEE FOR CHL MORTGAGE PASS-THROUGH TRUST 2003-48 MORTGAGE ET.AL. nj.bkecf@fedphe.com, nj.bkecf@fedphe.com
 U.S. Trustee USTPRRegion03.NE.ECF@usdoj.gov

District/off: 0312-3

User: admin
Form ID: pdf903

Page 2 of 2
Total Noticed: 1

Date Rcvd: Jun 23, 2020

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system (continued)

Valerie A. Hamilton on behalf of Creditor New Jersey Division of Taxation
Valerie.Hamilton@law.njoag.gov
Ward Benson on behalf of Creditor United States of America on behalf of the Internal Revenue
Service ward.w.benson@usdoj.gov, Eastern.Taxcivil@usdoj.gov;james.j.wilkinson@usdoj.gov
TOTAL: 24